S.B.Cr.Misc. Petition No. 1602/2007
(Smt. Sumitra vs. Mala Ram)

Date of order : October 10, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Manoj Pareek, for the petitioner.

By the instant criminal misc. petition under section 482 Cr.P.C., the petitioner has challenged the order granting monthly allowance of interim maintenance dt. 8.8.2007 passed by the Judicial Magistrate, First Class, Sardarshahar, Distt. Churu (for short `the trial court' hereinafter) at the rate of Rs.600/- per month.

The petitioner seeks enhancement of monthly allowance of interim maintenance. The grant of monthly allowance of interim maintenance is at the pre-recording of the evidence stage. The parties are yet to lead their evidence and establish the income of the husband, who is liable to pay the maintenance as also requirement of the petitioner. In the circumstances, therefore, no case for interference at this stage is made out.

The petition is, therefore, dismissed. The trial court is directed to decide the main application under section 125 Cr.P.C. utmost expeditiously preferably within five months.

(H.R.PANWAR),J.

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